

1 destroy james Marcotte, *pro persona*
2 c/o: general post office
3 c/o: Belleville, Illinois

August 8, 2013

4 Aniyvwiya nation
5 Cherokee nation of Indians
6 c/o General post office box 1145
7 c/o Dublin, Virginia

8 **In care of the:**

9 **UNITED STATES DISTRICT COURT**
10 **SOUTHERN ILLINOIS**

11 UNITED STATES OF AMERICA

12 Plaintiff,

13 vs.

14 DESTRY J. MARCOTTE

15 Defendant.

) Case No.: 13-cr-30053-MJR
)
) Affidavit in the Truth.
)
) Identification of the Parties
) and the Real person affected.
)
) Complaints and Demands, in the
) nature of a motion, to require
) the court to act with clean
) hands and in being un-bias in
) this matter, in ordering the
) bringing forth all the
) contracts and agreements ab
) initio to the present day, and
) bring forth the Debt amount
) related to the Charges for a
) complete set-off {discharge}
) being the only relief or remedy
) available to the real person
) affected in this matter.
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22 To: MICHAEL J. REAGAN, Acting Ex Officio as Judge

23 TO: The Honorable Master of the Rolls and Justices of the High court of
24 Chancery within the continental and federal district of Columbia.

25
26 Jurisdiction and venue are grounded by virtue of the Treaty of Peace the
27 Cherokee nation of Indians and the United States of America and the
28 Continental United States, Biblical law (recognized, if by no other
authority, P.L. 97-280), Perfect Equity, Trust Law, Contracts and the Geneva
Convention of 1930 in creating the Global Bankruptcy.

AFFIDAVIT

LET IT BE KNOWN to all by the Affidavit as a sworn oath by destry james Marcotte to be in the truth and only the truth as having first hand knowledge and/or the truthful facts and evidence to validate all hereafter spoken, as it is written in accord, as G-d being my witness. It shall be binding on all real natural physical and/or all those acting as either artificial persons/Persons/PERSONS. This, The Affidavit having gone un-refuted {un-rebutted} shall stand as the only truth and facts in this matter before the court. The Affidavit gone un-refuted {un-rebutted} shall stand as the only binding principles and directives for this CASE/CONTRACT as well as, all contracts proceeding or post of the Affidavit in concerns to this matter. Hereby, I, destry james Marcotte, do hereby bring forth the Truth and the Facts thereof the truth hereafter as being:

1. This communication with the Court(s) is by necessity, under duress, threats and coercion by those acting as artificial fictions of Law Officers and Agents of Corporations under Private Agreements and Contracts unknown and never revealed in any manner whatsoever to destry james Marcotte.
2. There are multiple courts being held within the same building and court room by the self confession of those acting as the Judge, Magistrate(s), Clerk(s) of Court and all Attorney(s) involved in this matter [case] as identified hereafter as {A},{B}and{C} :{A} the primary court allowing for the diversity of venue, jurisdiction as well as the diversity of Law Forms and Equity is the High court of Chancery at the federal level as self-confessed by the Persons acting as Judge, Magistrates, Clerk of Court and all Attorneys in this matter [case] by their silence in producing no return coming forth in concerns to the Abatement in Chancery served upon the court record on the 3rd day of April in the year 2013, thereby confessing this court can provide the same Remedy in Law and Equity as a High court of Chancery with diverse venues and jurisdictions;{B} a Article III court, under the Constitution of the United States of America {1791}, thereby only the Laws of the United States of America are binding on destry james Marcotte, and all involved in this matter, in concerns to the natural physical person, destry james {hereafter as "destry james"}, so confessed by the spoken word of MICHAEL J. REAGAN, acting judge in this matter, as witnessed by destry james and PHILLIP KAVANAUGH, an officer {attorney} of the court, as well as the clerk

1 and/or deputy clerk of the court and law enforcement officers present
 2 on the 19th day of April in the 2013;{C} a Statutory Court under the
 3 Global Bankruptcy as mandated under the Geneva Convention of 1930,
 4 bound by 3 forms of Law, being the Uniform Commercial Code {UCC},
 5 Trust Law and Contract Law, with the accepted "Common Practice of
 6 Statutory Law" with all Codes and Statutes having a Commercial Value
 7 assigned to the Codes and Statutes to be settled under the Global
 8 Bankruptcy in accord to the UCC, Trust Law and Contracts for the
 9 benefit of the presumed Creditors of the Global Bankruptcy un-named
 10 in this cause/case/ matter.

11 3. The Real Parties of Interest as being the Plaintiff are not named in
 12 this cause/case. This is a deliberate attempt in not identifying the
 13 Global Bankruptcy created per the Geneva Convention of 1930.
 14 Therefore the Bankrupt Corporation known as the UNITED STATES OF
 15 AMERICA has no standing in this matter, except through Private
 16 Agreements and/or Contracts not brought forth on the court record.
 17 Therefore by application of Law all Agreements and/or Contracts must
 18 be brought forward as identifying the UNITED STATES OF AMERICA as per
 19 an assignment as having standing to bring forth this cause/case.

20 4. A fiction of Law cannot oppress, restrict or arrest the Liberty of a
 21 natural physical person in their G-d given status.

22 5. The Persons acting as Corporations, Corporate Officers and Agents and/
 23 or Government Persons has not been made available to the court
 24 record, all the contracts leading up to this cause/case/matter.
 25 Thereby any and all contracts presumed or assumed to have been
 26 created in this matter on behalf of the named defendant, DESTRY J.
 27 MARCOTTE, shall be by the Rule of Law, Equity and Clean Hands null
 28 and void.

1 The natural physical person, destry james, can not be demanded to enter
 2 or honor any contracts in this cause/case/matter until each and every
 3 contract, whether they be verbal, written, assumed, presumed, secret,
 4 prima fascia or by another means leading up to this very moment in
 5 time is Revealed upon the court record. This shall include the
 6 succession and sequence of all contracts starting from Geneva
 7 Convention of 1930, and the Fidelity Ceremony for the Birth of destry
 8 james Marcotte, that created the Trust Certificate identified as the
 9 Birth Certificate 10A-0015088(see attachment), to this very moment in
 10 time, detailing how a creation of the One True G-d, destry james

Marcotte, is now forced into this commercial Court Case 13-cr-30053-MJR.

7. The natural person, destrry james is not a fiction of law, nor a creation of Statutes or Codes of any State, United States or United States of America.
8. The UNITED STATES DISTRICT COURT SOUTHERN ILLINOIS; UNITED STATES OF AMERICA; UNITED STATES; STATE OF ILLINOIS; DISTRICT OF COLUMBIA; DEPARTMENT OF JUSTICE are all fictions of Law known as Corporations; and all of the fore noticed as well as all other Corporations and PERSONS, as they are imagined to exist, on planet earth, whether they are acting as a De-Facto Governments or not, were placed under a Global Bankruptcy under the Geneva Convention of 1930, which still exist to this very day.
9. MICHAEL J. REAGAN, JUDGE; NORMAN SMITH, OFFICER/AGENT; RUSTY KISER, OFFICER/AGENT; KIM SINGER, OFFICER/AGENT STEPHEN C. WILLIAMS, MAGISTRATE; GEORGE HOWARD, PROBATION OFFICER are all fictional PERSONS acting as agents and officers under the Geneva Convention of 1930, by which all Corporations and Legal Persons, including yet not limited to all Corporations acting a de-facto Governments were place under a Global Bankruptcy and are thereby strictly bound by the Geneva Convention of 1930 and the Global Bankruptcy thereof. The truth and all contracts shall make this an un-refutable fact.
10. Under the Global Bankruptcy all Laws, Codes, Statutes and Constitutions were suspended, except for Constitutions created under the Global Bankruptcy after 1930, which basically is the Constitutions of the Roman Catholic Church aka Roman Empire aka Vatican; and the Declarations and/or Constitutions of the United Nations.
11. The Geneva Convention of 1930 declaring the Global Bankruptcy placed all Corporations and Fictions of Law aka Persons/PERSONS under the Bauer-Rothschild Trust created in the year 1180 and having been revised and/or amended over 240 times since it's origination.
12. The Corporations acting as State and/or STATE, and Federal and/or FEDERAL Governments aka Federal United States and/or UNITED STATES were permitted to use the Codes and Statutes of the STATE or UNITED STATES under the "Theory" of "Common Practice" if so agreed upon by all Parties involved in a matter/cause, were no valid contract existed between parties. The Corporate Supreme Court Case, Erie

1 Railroad vs. Thompson testifies to this very fact. Thereby all U.S.
2 and STATE CODES were assigned a Commercial Debt Value, so the
3 presumed Creditors and Real Parties of Interest in the Global
4 Bankruptcy could still benefit from PERSONS being "Charged" by a
5 STATE or UNITED STATES CODE(S). This is why Attorneys are permitted
6 under the Global Bankruptcy to "Practice at Law", as in "Practicing a
Theory of Law" under the principle of being an accepted "Common
Practice of Use".

7 13. The Pope Francis issued a Sacred and superior binding Motu Proprio on
8 the 11th day of July in the year 2013, thereby giving notice to all
9 Public Offices and Officers thereof under the authority of the Pope
10 and Vatican City State, which does in truth and the facts include any
11 and all Attorneys, Judges, Officers and Agents acting directly or
12 indirectly, as for the United States and/or the United States of
13 America and/or the UNITED STATES and/or the UNITED STATES OF AMERICA,
14 of the fact that their Limited Liability and Immunity under the
15 Global Bankruptcy has been removed and they are all subject to Civil
and Criminal charges against them collectively and individually on
and after the 1st day of September in the year 2013 for any and all
acts against the Human Rights of all natural physical persons.

16 14. The natural physical person, destry james, as the Grantor of Record by
17 way of assignment from the Divine Creator {G-d} as the original
18 sovereign grantor by way of the transmitting earthly vessel known as
19 sharon louise Eberle/Marcotte being the natural mother for destry
20 james Marcotte, for the Labouring Equity for the birthing of destry
21 james Marcotte as per the "Fidelity Ceremony" by which created the
22 "Trust Certificate" {Birth Certificate} thereof; and thereby creating
23 the standing of destry james Marcotte as the principal holder in due
24 course for the Sovereignty Certificate issued thereby the Trust
25 Certificate, granting destry james Marcotte as the true and only
26 principal beneficiary for the foresaid Fidelity Ceremony, Trust
27 Certificate and Sovereignty Certificate. Thereby it shall be known to
all that the true beneficiary is now identified upon the court record
for any and all other Trust created thereof or thereby the fore
noticed Labouring Fidelity Ceremony, the Trust Certificate and the
Sovereignty Certificate.

28 15. It is an impossibility in Law and Equity for any Corporation or Person/
PERSON to grant a Benefit or Privilege to destry james Marcotte.

1 16. There are no witnesses that destroy James Marcotte signed any Commercial
2 Document on behalf of the PERSON, DESTROY J. MARCOTTE, in the form of
3 a IRS filing in any attempt to defraud any Person and most assuredly
4 the Bankrupt Corporation referred to as the UNITED STATES OF AMERICA
5 and/or the UNITED STATES; and deny any such event ever took place.
Thereby any and all testimony to the contrary is "Hearsay" and shall
be stricken from the very minute it was stated.

6 17. Any and All Testimony given by any Person acting as an Attorney shall
7 be known as Hearsay and is not permitted in any form of Law. They
8 have absolutely NO first hand knowledge of any event other than an
9 event or action they created themselves and most assuredly cannot
10 testify in any form whatsoever as to the state of mind or the intent
of destroy James Marcotte.

11 18. All Attorneys, Judges, Clerks, Magistrates etc... that have taken an oath
12 to uphold the Bankruptcy by their being granted a special Certificate
13 {License} and Office to act as a "Secured Party Creditor" in
representing any Person under the fore noticed Bankruptcy.

14 19. It is a requirement that the Person that creates the Liability and/or
15 the Debt shall also be liable Party/Person for supplying the Relief
16 and/or Remedy under the Bankruptcy, thereby unless the Person having
17 created the Liability or Debt, in this cause/Matter is the Persons
18 acting as for the Plaintiff, can not provide the Relief or Remedy, it
19 shall be decreed they have made a Claim upon which relief cannot be
20 granted, thereby on the face of the Charges are to be dismissed and/
or Charged to the Persons having created the Liability or Debt.

21 20. Silence is a species of conduct, and constitutes an implied
22 representation of the existence of the state of facts in question,
23 and the estoppel is accordingly a species of estoppel by mis-
24 representation. When silence is of such a character and under such
25 circumstances that it would become a fraud upon the other party to
26 permit the party who has kept silent to deny what his silence has
27 induced the other to believe and act upon, it will operate as an
28 estoppel.

1
2 I, destry james Marcotte, under sworn oath as witnessed by the All Being
3 Divine Creator, the One True Living G-d, and as also witnessed by three
4 witnesses hereafter given, for the above Affidavit was by my own will, hand
and deed spoken as it is so written as being the Truth, so help me G-d. Done
on this the 8th day of August in the year of the Lord 2013.

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7 destry james

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10 Witnessed by: regan dwayne walter wayne gary lee

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PARTIES and Real person Affected

1. Plaintiff{s}, UNITED STATES OF AMERICA is a Private Corporation
created under the STATE OF DELAWARE; and is a Corporation
operating under the mandates and requirements of the Geneva
Convention of 1930 Global Bankruptcy. The named Plaintiff is not
the true principal party of interest bringing forth these
commercial charges in the form of U.S. CODES. The Plaintiff is a
transmitting utility for the benefit of the foreign U.S.
Treasury, for the benefit of the International Monetary Fund, and
further for the benefit of the 12 Banks that claim to being the
Creditors of the Corporate Global Trust, acting under the Bauer-
Rothschild Trust of 1180, and the 240 plus revisions to the
Trust, as confessed in the Geneva Convention of 1930.

2. Defendant, DESTRY J. MARCOTTE is an artificial Civilly Dead
PERSON created by Corporate Statutes in the form of a cestui que
trust; and is an imaginary entity that has no ability in concert
with the use of Speech, Mind, Thought or any Mental or Physical
manner of acting or performing any deed whatsoever.

1 3. The Real person, is not a Commercial Party in concerns to
2 these Codes, however destry james Marcotte is now affected,
3 {herein after known as "destry james"} and is a creation of
4 the Divine Creator {G-d}, and by necessity of Natural Law and
5 Order is present under special appearance and visitation in
6 this matter, in his natural form as memorialized in the
7 Fidelity Ceremony, being the most valuable Perfected Equitable
8 Ceremony on Planet Earth, being the Labouring Birth of a
9 child, which is identified by the ancient religions and orders
10 as having the Equitable Value equal to that of a "Thousand
11 Suns". For destry james Marcotte only by "Special Appearance"
12 is to be considered in the form as a natural physical person,
13 for destry james is a living creation of G-d, and shall appear
14 as a natural person simply for assisting in this matter and no
15 other reason or purpose. The natural person, destry james, is
16 protected under the Corporate Global Bankruptcy under UCC
17 1-308 and UCC 1-306, and International Treaty Law, and hereby
18 gives notice to all that I, destry james, do hereby reserve
19 all rights {rites} without prejudice, and most assuredly
20 reserves my own superior claim and standing in direct relation
21 to his Birth Rite {right} as granted by the "One True G-d".
22 Also, destry james Marcotte is a member of the "Cherokee
23 nation of Indians" under Treaty Law {Treaty{s} of 1785, 1791,
24 1794 and 1798} with the Continental and Federal United States
25 of America; and Continental United States, as recorded in the
26 "Statutes at Law of the United States of America in Volume VII
27 of said Statutes.
28

THE TRUTH AND FACTS COMMON TO ALL ISSUES AND MATTERS IN THIS CASE/
CAUSE/MATTER

1. The natural physical person, DESTROY JAMES, is ONLY involved in this cause/case/matter by special appearance and by special visitation in granting a privilege and benefit to those acting as for the Plaintiff to settle the Public Charges, THEY, the Attorneys, created in an attempt to access credit from the collective estates created by the Registering of Trust Certificates {Birth Certificates}; and more directly the DESTROY JAMES MARCOTTE, ESTATE, evidenced by the Birth Certificate 10A-0015088 as the source of Credit. These Public Charges are created for a means of the Bankrupt Corporations such as the UNITED STATES and/or the UNITED STATES OF AMERICA to pay their debts to their Banking Creditors {12 Families} and the only means of paying these presumed Creditors is through the Credit created by, and based off the value of credit assigned to the Trust Certificates held in Trust.
2. The Persons acting as Attorneys for the UNITED STATES OF AMERICA created the Public Debt and therefore are the Trustees liable for the Public Debt in the form disguised as "Criminal Charges" they created and shall not transfer that required obligation onto DESTROY JAMES MARCOTTE, therefore it shall be known as being the Truth and the Facts throughout this matter, that DESTROY JAMES MARCOTTE's involvement in this Case is to assist the Trustees in resolving their liability.
3. The Defendant, DESTROY J. MARCOTTE, is being charged in the Public with Commercial Codes that can only be set-off

1 {discharged} in the Private through Credit held in Trust.

2 Therefore destrry james will assist with the assistance of a
3 Institution Licensed under the Global Bankruptcy to access and
4 issue the Credit to Set-Off {discharge} these Debts created in
5 the Public by those acting as for the named Plaintiff. However
6 if the Value of the Credit needed to set-off {discharge} these
7 Charges are not made known to destrry james, then all Charges
8 shall be dismissed as being Claims upon which no relief or
9 remedy can be granted.

- 10
11 4. The only two Remedies available in this matter are: 1. For the
12 Amount of Debt {Legal Tender under the Bankruptcy} of the
13 Charges assessed to the CODE to be brought into the Public for
14 a set-off or discharge to be issued by an Institution Licensed
15 to Issue Credit under the Global Bankruptcy. Therefore it is
16 known to all there can be no Claim upon which relief {remedy}
17 can be granted without the Charges assigned to the Code to be
18 brought to the attention of destrry james for a set-off or
19 discharge by the only means available to destrry james, that
20 being the set-off {discharge} of the Credit held in Trust per
21 the Trust Certificate aka the "Birth Certificate" with the
22 assistance of a Licensed Institution for Issuing Credit for
23 the set-off or discharge; OR 2. The Trustees that are liable
24 for creating the Public Charges, being the Attorneys acting as
25 for the UNITED STATES OF AMERICA, can be sentenced to Prison,
26 thereby creating the necessary Bonds in discharging the
27 Charges, for it shall be known to all that destrry james does
28 not consent and shall not "Appear" or "Re-present" himself as
being the named Defendant, DESTRY J. MARCOTTE, nor shall

1 destry james Marcotte be the Trustee in any form concerning
2 this matter.

3 5. The natural person, destry james, is protected under the Global
4 Bankruptcy under the UCC, in direct relation to UCC 1-308 and
5 UCC 1-306. I, destry james do hereby give notice to all that I
6 hereby reserves all rights {rites} without prejudice, and most
7 assuredly reserves my superior claim and standing in direct
8 relation to his Birth Rite {right} as granted by G-d, as
9 Recorded in the Registered Trust Certificate {Birth
10 Certificate} identified by the Registered Number 10A-0015088,
11 as it was created by the Fidelity Ceremony for the Labouring
12 Birth of destry james Marcotte, and the Sovereignty Certificate
13 issued thereof the fore noticed Ceremony and Trust Certificate.
14 Therefore it shall be known to all, that the flesh, blood,
15 mind, spirit and soul of destry james Marcotte being imprisoned
16 to create Prison Bonds or any other Type of Bond or Commercial
17 Instrument in setting off or discharging these charges in the
18 Public is NOT an available means of Relief or Remedy in this
19 cause/case/matter.
20

21
22 **REMEDY{S} DEMANDED OF THE COURT**

23 I, destry james Marcotte, respectfully request and hereby make
24 the following demands, in the name of lawful justice and clean hands
25 by the court and all whom confess to be acting as for the court to
26 require the following information, contracts, documents and all
27 charging instruments be brought forward upon the court record and
28 provided to destry james Marcotte in order for all matters before the
 court can be resolved and discharged without any harm to any person in
 keeping the honor and peace of the King of kings in accord to the
 living Law, Perfect Equity and Commerce;

1. It shall be the required obligation of the court to order that all contracts, agreements, assignments and trust covenants in this matter, ab initio from the Geneva Convention of 1930 to the present day, including any and all contracts involving MICHAEL J. REAGAN, so destroy james Marcotte will know and thereby can understand the nature and the need of the contracts in assisting in properly doing the desired set-off and/or discharge of the Charges in the correct manner. In the event the contracts, agreements, assignments and trust covenants are not brought forward upon the court record, so shall it be known to all for the truth of the facts that destroy james Marcotte can not contract in any manner with the court or any Person acting as for the Plaintiff, not knowing the content of all the contracts, agreements etc... directly or indirectly associated with this cause/case/matter. Thereby so shall it be required of the court in dismissing all charges with prejudice for the lack of full disclosure and unclean hands by those acting as for the Plaintiff and the Officers of the court.
2. There being no argument before the court, in the event the moving Party, that is in fact the liable Party for bringing forth the Relief and/or Remedy in their creating and bringing forth the Charges into the Public in this cause/case/matter, thereby it shall be required of the court in ordering the moving Party in bringing forth the Debt Amount per the Charges into the Public and/or Privately before destroy james Marcotte for a total set-off {discharge} per the use of a Licensed Institution for issuing the proper credit drawn against the Trust Certificate, for the benefit of the Creditors in this matter. The named Defendant, is not, nor is destroy james, a Licensed Institution for issuing the Credit needed to bring commercial honor to this matter. In the event those acting as for the Plaintiff do not bring forth the Amount of the Commercial Charges, it shall thereby be required of the court to dismiss this cause/matter and case upon there being no claim{s} upon which relief {or remedy} can be granted. Those acting as for the Plaintiff shall provide the needed Credit desired to discharge the charges in 21 days, being on or before the 2nd day of September, 2013, or shall forfeit on any claim and this matter shall be dismissed with prejudice; or destroy james shall have no choice but to file civil charges in a Higher court of Chancery, and criminal charges in the International Criminal Court against all those involved in this matter.

1 Done on this the 8th day of August, 2013 Anno Domini.

2 

3 destry james Marcotte, Sui Juris

4 Sovereign by Trust Certificate without subjects, Non-Adverse Party, under
5 treaty of Peace, for bringing forth Commercial Honor to this matter for the
6 benefit of all involved in keeping the Kings Peace on earth for all.

7 Acknowledgement

8 On this eighth (8th) day of August, 2013, destry james Marcotte has
9 caused this to be executed, the foregoing instrument, and acknowledged that
10 he executed the same as his free act and deed in accord with the Foreign
11 Sovereign's Immunities Act as foreign Sovereign by the accord of a Proper
Fidelity Ceremony and Trust Certificate. So witnessed by three witnesses as
so decreed within the scriptures.

12 

13 Witnessed by: regan dwayne

14 

walter wayne

15 

gary lee

16 certifacte of service

17 This is to certify that a true and correct copy of the foregoing with
18 attachment has been sent by mail this 12th day of August, 2013 to the
19 plaintiff, etc. at the following addresse:

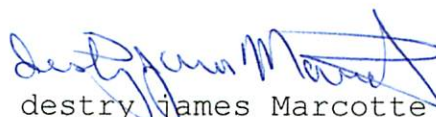
20 NORMAN R. SMITH
21 Assistant UNITED STATES Attorney
22 Nine Executive Drive
Fairview Heights, Illinois

JUDGE MICHAEL J. REAGAN
UNITED STATES DISTRICT COURT
East. St. Louis, Illinois

23 cc

24 Francis Cardinal George, OMI
25 Archdiocese of Chicago
26 835 N.Rush St.
Chicago, Illinois

27 Aniyvwiya nation
28 Cherokee nation of Indians
c/o General post office box 1145
c/o Dublin, Virginia


destry james Marcotte

STATE OF MINNESOTA
CERTIFICATION OF VITAL RECORD

BIRTH CERTIFICATE

FULL NAME

DESTRY JAMES MARCOTTE

SEX

MALE

DATE OF BIRTH

FEBRUARY 23, 1966

CITY OR TOWNSHIP OF BIRTH

WACONIA

COUNTY

CARVER

PARENT(S)

SHARON LOUISE (EBERLE)

DOUGLAS JAMES MARCOTTE

AMENDMENTS MADE PRIOR TO MARCH 11, 2001 FOR THIS RECORD ARE NOT NOTED ON THE CERTIFIED COPY.

10A-0015088

THIS IS A TRUE AND OFFICIAL RECORD OF THE BIRTH REGISTERED IN THE
OFFICE OF THE STATE REGISTRAR. DATE FILED: MARCH 02, 1966

PLACE ISSUED: CARVER

DATE ISSUED: SEPTEMBER 17, 2007

Steve Elkins

State Registrar



0015088

